



Sen. Ira I. Silverstein

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09300HB0779sam001

LRB093 05313 DRJ 51428 a

1 AMENDMENT TO HOUSE BILL 779

2 AMENDMENT NO. _____. Amend House Bill 779 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Health Facilities Planning Act is
5 amended by changing Section 6 as follows:

6 (20 ILCS 3960/6) (from Ch. 111 1/2, par. 1156)

7 (Section scheduled to be repealed on July 1, 2008)

8 Sec. 6. Application for permit or exemption; exemption
9 regulations.

10 (a) An application for a permit or exemption shall be made
11 to the State Board upon forms provided by the State Board. This
12 application shall contain such information as the State Board
13 deems necessary. Such application shall include affirmative
14 evidence on which the Director may make the findings required
15 under this Section and upon which the State Board may make its
16 decision on the approval or denial of the permit or exemption.

17 (b) The State Board shall establish by regulation the
18 procedures and requirements regarding issuance of exemptions.
19 An exemption shall be approved when information required by the
20 Board by rule is submitted. In the case of change of ownership
21 of a hospital, the State Board shall provide by rule for a
22 certificate of exemption review process that includes
23 consideration of the following, without limitation: (1) a
24 capitalization plan and other appropriate documentation

1 supporting the hospital's continued financial viability after
2 the proposed change of ownership; (2) the impact of the
3 proposed change of ownership on the delivery of community
4 benefits and charity care to the hospital's service area; (3)
5 the regulatory, financial, legal, and operational background
6 of the proposed owner and its principals; and (4) the impact of
7 the proposed change of ownership on access to and the cost of
8 health care services in the hospital's service area. Projects
9 eligible for an exemption, rather than a permit, include, but
10 are not limited to, change of ownership of a health care
11 facility. For a change of ownership of a health care facility
12 between related persons, the State Board shall provide by rule
13 for an expedited process for obtaining an exemption.

14 (c) All applications shall be signed by the applicant and
15 shall be verified by any 2 officers thereof.

16 (d) Upon receipt of an application for a permit, the State
17 Board shall approve and authorize the issuance of a permit if
18 it finds (1) that the applicant is fit, willing, and able to
19 provide a proper standard of health care service for the
20 community with particular regard to the qualification,
21 background and character of the applicant, (2) that economic
22 feasibility is demonstrated in terms of effect on the existing
23 and projected operating budget of the applicant and of the
24 health care facility; in terms of the applicant's ability to
25 establish and operate such facility in accordance with
26 licensure regulations promulgated under pertinent state laws;
27 and in terms of the projected impact on the total health care
28 expenditures in the facility and community, (3) that safeguards
29 are provided which assure that the establishment, construction
30 or modification of the health care facility or acquisition of
31 major medical equipment is consistent with the public interest
32 and maintains or enhances access to health care services, level
33 of community benefits, and level of charity care, and (4) that
34 the proposed project is consistent with the orderly and

1 economic development of such facilities and equipment and is in
2 accord with standards, criteria, or plans of need adopted and
3 approved pursuant to the provisions of Section 12 of this Act.
4 (Source: P.A. 93-41, eff. 6-27-03.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."